



Please type a plus sign (+) inside this box → +

3765

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/065,256
		Filing Date	September 30, 2002
		First Named Inventor	Andrew Kaplan
		Group Art Unit	3765
		Examiner Name	RECEIVED APR 23 2003
Total Number of Pages in This Submission		Attorney Docket Number	013341-000014 TECHNOLOGY CENTER R3700

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 27 References; copy of PTO-1449 from Parent Application; acknowledgement postcard
<small>Remarks</small>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	MOORE & VAN ALLEN MATTHEW W. WITSIL, REG. NO. 47,183	
Signature		
Date	April 11, 2003	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: April 11, 2003.

Typed or printed name	Lillian Glenn	Date	April 11, 2003
Signature			

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Attorney Docket: 013341-000014

*H. Webb
B. 4/24/03*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Andrew Kaplan et al.

Group Art Unit: 3765

Serial Number: 10/065,256

Examiner:

Filed: September 30, 2002

For: Suture Method

RECEIVED

APR 23 2003

TECHNOLOGY CENTER R3700

U.S. Patent and Trademark Office
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56 AND 37 C.F.R. § 1.97**

It is requested that the documents listed on the attached Form PTO/SB/08A be considered by the Patent and Trademark Office in the above-referenced application and made of record therein.

Full text copies of the relevant documents are enclosed. Please note that the present application is a continuation-in-part of U.S. Patent Application No. 09/896,455, filed June 29, 2001. A Form PTO-1449 that was submitted for the parent application is attached. Accordingly, copies of the documents listed on the Form PTO-1449 are not enclosed as copies of these references were submitted with the Form PTO-1449 for the parent application. *See* MPEP 609, III A.2. Please consider and make of record in the present application the documents listed on the attached Form PTO-1449.

The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an

international application or before the mailing date of a first Office action on the merits,
whichever event occurs last.

Respectfully submitted,

By:



Matthew W. Witsil

Registration No. 47,183

Attorney for Applicant

Moore & Van Allen, PLLC

2200 West Main Street, Suite 800

Durham, NC 27705

Phone: 919-286-8000

Facsimile: 919-286-8199

April 11, 2003

Date

List of Barbed Sutures References

List of U.S. Patents

<u>U.S. Patent No.</u>	<u>Inventor(s)</u>	<u>Issue Date</u>
709,392	H. Brown	September 16, 1902
733,723	C.D. Lukens	July 14, 1903
789,401	E.V. Acheson	May 9, 1905
816,026	A.J. Meier	March 27, 1906
1,142,510	L.K. Engle	June 8, 1915
1,321,011	J.D. Cottes	November 4, 1919
1,728,316	A.C.S. Von Wachenfeldt	September 19, 1929
1,886,721	J.R. O'Brien	November 8, 1932
2,201,610	J.C. Dawson, Jr.	May 21, 1940
2,232,142	S. Schumann	February 18, 1941
2,254,620	G.I. Miller	September 2, 1941
2,421,193	W.J. Gardner	May 27, 1947
2,472,009	W.J. Gardner	May 31, 1949
2,684,070	W.L. Kelsey	July 20, 1954
2,779,083	E.N. Eaton	January 29, 1957
2,817,339	N.M. Sullivan	December 24, 1957
2,910,067	J.W. White	October 27, 1959
2,988,028	J.H. Alcamo	June 13, 1961
3,068,869	C.H. Shelden et al.	December 18, 1962
3,068,870	A. Levin	December 18, 1962
3,123,077	J.H. Alcamo	March 3, 1964
3,166,072	J.T. Sullivan, Jr.	January 19, 1965
3,209,754	A.M. Brown	October 5, 1965
3,214,810	R.V. Mathison	November 2, 1965
3,221,746	J.W. Noble	December 7, 1965
3,234,636	A.M. Brown	February 15, 1966
3,273,562	A.M. Brown	September 20, 1966
3,352,191	A.H. Crawford	November 14, 1967
3,378,010	J.W. Codling et al.	April 16, 1968
3,385,299	P.L. Le Roy	May 28, 1968
3,494,006	G.C. Brumlik	February 10, 1970
3,525,340	Gilbert	August 25, 1970
3,527,223 (insertion device)	Shein	September 8, 1970
3,586,002	Wood	June 22, 1971
3,608,095	R.J. Barry	September 28, 1971
3,608,539 (insertion device)	Miller	September 28, 1971
3,683,926	Suzuki	August 15, 1972
3,716,058	Tanner, Jr.	February 13, 1973
3,825,010	McDonald	July 23, 1974
✓ 3,981,307 (needle attachment)	Borysko	September 21, 1976

List of U.S. Patents (Continued)

<u>U.S. Patent No.</u>	<u>Inventor(s)</u>	<u>Issue Date</u>
4,073,298	Le Roy	February 14, 1978
4,259,959	Walker	April 7, 1981
4,317,451	Cerwin et al.	March 2, 1982
4,428,376	Mericle	January 31, 1984
4,430,998	Harvey et al.	February 14, 1984
4,434,796	Karapetian et al.	March 6, 1984
4,454,875	Pratt et al.	June 19, 1984
4,467,805	Fukuda	August 28, 1984
4,505,274	Speelman	March 19, 1985
4,510,934	Batra	April 16, 1985
4,531,522	Bedi et al.	June 30, 1985
4,548,202	Duncan	October 22, 1985
4,610,251	Kumar	September 9, 1986
4,635,637	Schreiber	January 13, 1987
4,637,380	Orejola	January 20, 1987
4,653,486	Coker	March 31, 1987
4,669,473	Richards et al.	June 2, 1987
4,676,245	Fukuda	June 30, 1987
4,719,917	Barrows et al.	January 19, 1988
4,776,337 B	Palmaz	December 5, 2000
4,841,960	Garner	June 27, 1989
4,873,976	Schreiber	October 17, 1989
4,887,601	Richards	December 19, 1989
4,895,148	Bays et al.	January 23, 1990
4,950,285	Wilk	August 21, 1990
4,976,715	Bays et al.	December 11, 1990
4,994,073	Green	February 19, 1991
4,997,439	Chen	March 5, 1991
5,002,562	Oberlander	March 26, 1991
5,007,921	Brown	April 16, 1991
5,026,390	Brown	June 25, 1991
5,047,047	Yoon	September 10, 1991
5,053,047	Yoon	October 1, 1991
5,084,063 (needle attachment)	Korthoff	January 28, 1992
5,102,418 (needle attachment)	Granger et al.	April 7, 1992
5,102,421 (suture anchor)	Anspach, Jr.	April 7, 1992
5,123,911 (needle attachment)	Granger et al.	June 23, 1992
5,123,913	Wilk et al.	June 23, 1992
5,141,520 (suture anchor)	Goble et al.	August 25, 1992
5,192,302 (insertion device)	Kensey et al.	March 9, 1993
5,207,694 (insertion device)	Broomé	May 4, 1993
5,222,976	Yoon	June 29, 1993
5,224,946 (suture anchor)	Hayhurst et al.	July 6, 1993

List of U.S. Patents (Continued)

<u>U.S. Patent No.</u>	<u>Inventor(s)</u>	<u>Issue Date</u>
5,246,441	Ross et al.	September 21, 1993
5,258,013 (needle coating)	Granger et al.	November 2, 1993
5,269,783	Sander	December 14, 1993
5,292,326 (stapler)	Green et al.	March 8, 1994
5,320,629 (insertion device)	Noda et al.	June 14, 1994
5,320,629 B	Noda et al.	May 2, 2000
5,341,922 (sterile suture package)	Cerwin et al.	August 30, 1994
5,342,376	Ruff	August 30, 1994
5,372,146 (suture anchor)	Branch	December 13, 1994
5,411,523 (suture anchor)	Goble	May 2, 1995
5,425,746	Proto et al.	June 20, 1995
5,425,747	Brotz	June 20, 1995
5,450,860	O'Conner	September 19, 1995
5,500,000 (suture anchor)	Feagin et al.	March 19, 1996
5,500,991 (needle attachment)	Demarest et al.	March 26, 1996
5,520,691 (suture anchor)	Branch	May 28, 1996
5,533,982 (needle attachment)	Rizk et al.	July 9, 1996
5,546,957 (biopsy needle)	Heske	August 20, 1996
5,584,859	Brotz	December 17, 1996
5,601,557 (suture anchor)	Hayhurst	February 11, 1997
5,702,462 (suture anchor)	Oberlander	December 30, 1997
5,716,376 (needle coating)	Roby et al.	February 10, 1998
5,722,991 (needle attachment)	Colligan	March 3, 1998
5,931,855	Buncke	August 3, 1999
6,012,216	Esteves et al.	January 11, 2000
6,056,778 (insertion device)	Grafton et al.	May 2, 2000
6,163,948 (needle attachment)	Esteves et al.	December 26, 2000
6,241,747	Ruff	June 5, 2001
RE37,963 (suture anchor)	Thal	January 7, 2003

List of Non-U.S. Patents

<u>Patent No.</u>	<u>Country</u>	<u>Inventor/Applicant</u>	<u>Issue Date</u>
1810800	Germany	Metz	June 4, 1970
4302895	Germany	Serag-Wiessner	August 4, 1994
00/51658	WIPO	Sulamanidze et al.	September 8, 2000
1075843	EPO	Sulamanidze et al.	February 14, 2001
2,693,108	France (resorbable)		

List of Non-Patent References

McKenzie, "An Experimental Multiple Barbed Suture for the Long Flexor Tendons of the Palm and Fingers", The Journal of Bone and Joint Surgery, Vol. 49B, No. 3, August 1967, pp. 440-447.

"Drilled End Surgical Needles", B.G. Sulzle, Inc., Syracuse, New York, July 2002.

Sulamanidze et al., "Facial Lifting with "Aptos" Threads", <http://www.fonendo.com>, July 18, 2001, pp. 1-4.

Datillo et al., "Medical Textiles: Application of an Absorbable Barbed Bi-directional Surgical Suture", Vol. 2, Issue 2, The Journal of Textile and Apparel Technology and Management (Spring 2002).

"Up Lifting (Aptos Threads)", <http://www.ccpr.com.br/upl-1.htm>, August 19, 2002, pp. 1-2.